

A Regular Meeting of the City Council of the City of Hickory was held in the Council Chamber of the Municipal Building on Tuesday, June 21, 2016 at 7:00 p.m., with the following members present:

Brad Lail	Rudy Wright	Hank Guess
Vernon Tarlton	Aldermen	David P. Zagaroli
Danny Seaver		Jill Patton

A quorum was present.

Also present were: City Manager Mick Berry, Assistant City Manager Rodney Miller, Assistant City Manager Andrea Surratt, Deputy City Attorney Arnita Dula, City Attorney John W. Crone, III, Deputy City Clerk Cari Burns and City Clerk Debbie D. Miller

- I. Mayor Wright called the meeting to order. All Council members were present.
- II. Invocation by Rev. Cliff Moone
- III. Pledge of Allegiance
- IV. Special Presentations
 - A. Presentation of a Proclamation to Deputy City Attorney Arnita Dula for Recognition of the Citizen Lawyer Award by the North Carolina Bar Association.

Mayor Wright asked Deputy City Attorney Arnita Dula to join him at the podium. He commended her for being a wonderful representative of the City and the City Staff in various endeavors. He advised that he was very proud to recognize her as being a recipient of the Citizen Lawyer Award by the North Carolina Bar Association. Mayor Wright read and presented a proclamation to Ms. Dula in recognition of her being the recipient of this prestigious award.

Deputy City Attorney commented that a big part of what she does is because of the people who surround her and who she works with. She was most grateful to be there. She thanked them for the opportunities that she had been provided with at the City and for the recognition.
- V. Persons Requesting to Be Heard
- VI. Approval of Minutes
 - A. Regular Meeting of June 7, 2016

Alderman Tarlton moved, seconded by Alderwoman Patton that the Minutes of June 7, 2016 be approved. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderman Tarlton seconded by Alderwoman Patton and the motion carried unanimously.
 - B. City Council Subcommittee Special Meeting of June 3, 2016

Alderman Seaver moved, seconded by Alderman Lail that the Minutes of City Council Subcommittee Special Meeting of June 3, 2016 be approved. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderman Seaver seconded by Alderman Lail and the motion carried unanimously.
 - C. Special Meeting of June 16, 2016

Alderman Zagaroli moved, seconded by Alderman Tarlton that the Minutes of the Special Meeting of June 16, 2016 be approved. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderman Zagaroli seconded by Alderman Tarlton and the motion carried unanimously.
- VII. Reaffirmation and Ratification of Second Readings. Votes recorded on first reading will be reaffirmed and ratified on second reading unless Council Members change their votes and so indicate on second reading.

Alderwoman Patton moved, seconded by Alderman Guess that the following be reaffirmed and ratified on second reading. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderwoman Patton seconded by Alderman Guess and the motion carried unanimously.

 - A. Approval of the Purchase of Property Located at 3042 North Center Street, (PIN 3704-16-94-5696, in the Amount of \$1,750 and Authorization for the City Manager to Execute the

- Offer to Purchase and Contract and City Attorney John Crone to Complete the Transaction. (First Reading Vote: Unanimous)
- B. Approval of a Lease Agreement for City-owned Property Located at 1123 15th Street NE, Hickory. (First Reading Vote: Unanimous)
 - C. Approval to Purchase 60 Radios from Loudoun Communications in the Amount of \$120,066. (First Reading Vote: Unanimous)
 - D. Approval to Apply for the 2016 Justice Assistance Grant to Purchase an Oculus System and Drug Abuse Resistance and Education (DARE) Supplies. (First Reading Vote: Unanimous)
 - E. Approval of the Community Development Block Grant Funding Agreement between the City of Hickory and City of Refuge Community Development Center, Inc. (First Reading Vote: Unanimous)
 - F. Approval of the Community Development Block Grant Funding Agreement between the City of Hickory and Exodus Outreach Foundations, Inc. (First Reading Vote: Unanimous)
 - G. Approval of the Community Development Block Grant Funding Agreement between the City of Hickory and Hickory Soup Kitchen, Inc. (First Reading Vote: Unanimous)
 - H. Approval of Offer and Acceptance Document, Resolution, and Designation of Authorized Representative for State Revolving Loan for the Central Business District Infrastructure Renewal Project in the Amount of \$1,364,100. (First Reading Vote: Unanimous)
 - I. Approval of Offer and Acceptance Document, Resolution, and Designation of Authorized Representative for State Revolving Loan for the Geitner Basin Sewer System Rehabilitation Project in the Amount of \$3,519,475. (First Reading Vote: Unanimous)
 - J. Approval of School Resource Officer Agreement with Hickory Public Schools. (First Reading Vote: Unanimous)
 - K. Budget Ordinance Amendment Number 24. (First Reading Vote: Unanimous)
 - L. Capital Project Ordinance Amendment Number 2. (First Reading Vote: Unanimous)
 - M. Capital Project Ordinance Number 3. (First Reading Vote: Unanimous)
 - N. City Manager's FY2016-2017 Recommended Budget. (First Reading Vote; Unanimous)
- VIII. Consent Agenda: All items below are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests. In which event, the item will be removed from the Consent Agenda and considered under Item IX.

Alderman Lail requested items K and L be removed from the Consent Agenda.

Alderman Lail moved, seconded by Alderman Tarlton approval of the Consent Agenda with the exception of items K and L. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderman Lail seconded by Alderman Tarlton and the motion carried unanimously.

- A. Approved on First Reading the Community Development Block Grant Funding Agreement between the City of Hickory and Safe Harbor Rescue Mission.

In February 2016, the City of Hickory's Department of Planning and Development Services requested applications from local nonprofit organizations for funding under the Community Development Block Grant (CDBG) Program. The Citizen's Advisory Committee reviewed and recommended funding for these applications as part of the City's Annual Action Plan. The Annual Action Plan was approved by City Council following a public hearing on May 3, 2016. The Community Development Block Grant Funding Agreement describes the requirements for the City and Safe Harbor Rescue Mission to ensure that all applicable federal regulations are met. Funds will be used to support a day shelter at Safe Harbor, which provides support to homeless women in addition to meeting physical needs, such as food, shelter, showers, etc. Safe Harbor Rescue Mission requested and were approved for funding in the amount of \$8,000 through the City of Hickory's CDBG program. Staff recommends approval of the CDBG funding agreement between the City of Hickory, North Carolina, and Safe Harbor Rescue Mission.
- B. Approved on First Reading the Community Development Block Grant Funding Agreement between the City of Hickory and AIDS Leadership Foothills-Area Alliance, Inc.

In February 2016, the City of Hickory's Department of Planning and Development Services requested applications from local nonprofit organizations for funding under the Community Development Block Grant (CDBG) Program. The Citizen's Advisory Committee reviewed and recommended funding for these applications as part of the City's Annual Action Plan. The Annual Action Plan was approved by City Council following a public hearing on May 3, 2016. The Community Development Block Grant Funding Agreement describes the requirements for the City and AIDS Leadership Foothills-Area Alliance to ensure that all applicable federal regulations are met. Funds will be used to provide support for a medical case manager position, which will provide support to persons living with HIV and AIDS to ensure that they remain in medical care and also receive other services as they are available. AIDS Leadership Foothills-Area Alliance has requested and been approved for funding in the amount of \$8,000 through the City of Hickory's Community Development Block Grant program. Staff recommends approval of the CDBG funding agreement between the City of Hickory, North Carolina, and AIDS Leadership Foothills-Area Alliance, Inc.

- C. Approved a Resolution – Cancellation of July 5, 2016 City Council Meeting.

RESOLUTION NO. 16-09

Be it resolved by the City Council of the City of Hickory that the regularly scheduled City Council Meeting for July 5, 2016 be cancelled.

- D. Approved Citizens' Advisory Committee Recommendations for Assistance through the City of Hickory's Housing Programs.

The following request was considered by the Citizens' Advisory Committee at their regular meeting on June 2, 2016:

- Rudolph & Priscilla Hoyle, 1174 2nd Street Place SE, Hickory, was awarded a City of Hickory's Housing Rehabilitation Loan. The Citizens' Advisory Committee recommends approval for assistance not to exceed \$20,000 for repairs to their house. Assistance would be in the form of a three percent interest loan for a ten year period.

Funds are budgeted for this item through the City of Hickory's former Rental Rehabilitation program income and/or program income received through the City of Hickory's Community Development Block Grant Program. The Citizens' Advisory Committee recommends approval of the aforementioned request for assistance through the City of Hickory's housing assistance programs.

- E. Approved a Special Events Activities Application 4th of July Pops Concert Under the Sails, Martha Hill, Executive Director, Western Piedmont Symphony, June 26, 2016, 2:00 p.m. to 9:00 p.m., Downtown Hickory Under the Sails.
- F. Approved on First Reading Two Municipal Participation Agreements with North Carolina Department of Transportation.

Staff requests approval of two Municipal Participation Agreements between the City of Hickory and North Carolina Department of Transportation (NCDOT). The first agreement is for rental costs associated with pumping equipment necessary to aid in the prevention of flooding of US 70 affecting the traveling public and businesses in the area. North Carolina Department of Transportation is the lead agent for the required work associated with this project and the agreement identifies the shared reimbursement percentages. The City will reimburse NCDOT two-thirds of the actual costs associated with the pumping rental equipment. Reimbursement payments will be made on a quarterly basis. The second agreement with NCDOT is for the evaluation of existing storm water issues. The project consist of design work including design of the site layout, soil parameters, wall envelope and cost estimate for shoring associated with storm water repairs along the 700 block of US 70. This agreement and design work is necessary in order to understand repair options as well as preliminary construction cost. NCDOT will be the lead agent for work under this agreement. The City's fifty percent share is \$26,000 in this partnership agreement. Staff recommends Council's approval of the Municipal Participation Agreements with NCDOT and the appropriation of funds in the amount of \$62,000 from contingency; \$36,000 toward the pumping rental equipment and \$26,000 towards the design.

- G. Approved on First Reading Acceptance of the Bid and Award of the Contract to Carolina Courtworks in the Amount of \$35,839 for Construction of Hickory Optimist Park Pickleball Court.

The conversion of the existing tennis court into four pickleball courts is part of the Hickory Optimist Park Phase II improvement plan. Work will include removal of the existing tennis court surface and nets, installation of new asphalt resurface, and nets and striping for four

pickleball courts in accordance with plans and specifications. A request for bids was posted on the City's website, and two bids were received. Recreational Ventures, Inc. dba Court One bid was \$82,325, and Carolina Courtworks bid was \$35,839 being the low responsive, responsible bidder. This project is funded by Parks and Recreation's budget for FY2015/2016. Staff recommends accepting the bid and awarding the contract to the low responsive, responsible bidder Carolina Courtworks for construction of Hickory Optimist Park pickleball court in the amount of \$35,839.

- H. Approved on First Reading a Contract with JK Landscaping & Grading in the Amount of \$44,200 for Improvements to Southside Heights Park.

Staff requests approval of a contract with JK Landscaping & Grading in the amount of \$44,200 for improvements to Southside Heights Park. The Southside Heights Park Improvements project provides permanent restrooms with ADA compliant access to both the proposed restrooms and the existing shelter. Work will include grading, site preparation for a prefabricated men's/women's restroom facility, underground utilities, accessible sidewalks to both the restroom building and the shelter all in accordance with plans and specifications. A request for informal bids were sent to local contractors. Three bids were received, Huffman Grading Co., Inc. bid \$51,700, Wesson Septic Tank Service, Inc. bid \$63,100, and JK Landscaping & Grading bid \$44,200, which was the low responsive, responsible bidder. This project is funded by Parks and Recreation's budget for FY2015/2016. Staff recommends awarding the contract to the low responsive, responsible bidder JK Landscaping & Grading in the amount of \$44,200.

- I. Approved a Resolution for the Surplus of a Fire Truck and Authorize the City Manager to Dispose of the Property by Private Sale at a Negotiated Price.

The City of Hickory Fire Department Staff requests approval to declare as surplus a 1919 American LaFrance pumper, a 1924 American LaFrance pumper, and a 1924 American LaFrance ladder truck. These three pieces were purchased by the City of Hickory in 1919 and 1924 as new fire apparatus. For the past ten years they have been stored at the City Transfer Station. However, due to their age and condition, it would not be feasible or cost effective to refurbish these units. The intent of the Fire Department is to sell all three units to Mr. George Mills of Raleigh, NC. The agreement was negotiated by Councilman Zagaroli for the sum of \$13,500 for all three trucks with the stipulation that Mr. Mills will be responsible for moving the apparatus and the trucks will be sold as is. The revenue for the sale of these trucks will be placed into a special fund to pay for repairs to a 1936 American LaFrance apparatus, which will be utilized for special events and functions. Staff recommends Council adopt a Resolution, in accordance with General Statute 160A-267, authorizing the City Manager to dispose of the property by private sale at the negotiated price to Mr. George Mills. A notice summarizing the contents of the resolution or order shall be published once after its adoption, and no sale shall be consummated thereunder until 10 days after its publication.

RESOLUTION NO. 16-10

A RESOLUTION OF THE HICKORY CITY COUNCIL AUTHORIZING THE DISPOSITION OF CERTAIN PERSONAL PROPERTY BY PRIVATE SALE

WHEREAS, the City Council of the City of Hickory desires to dispose of certain surplus property of the City of Hickory; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hickory, North Carolina:

1. The following described property is hereby declared to be surplus to the needs of the City of Hickory.

A 1919 American LaFrance pumper, a 1924 American LaFrance pumper, and a 1924 American LaFrance ladder truck.
2. The City Manager is authorized to dispose of the described property by private sale at a negotiated price.
3. The minimum price to be accepted for the property is \$13,500.
4. The City Clerk shall publish notice summarizing this Resolution in accordance with G.S. 160A-267.
5. The sale may be consummated not earlier than 10 days from the date of publication.

- J. Approved the Transfer of a Cemetery Deed from Joy C. Stroupe, Trustee of the John C. Stroupe Family Trust to Joy C. Stroupe, Widow, (Oakwood Cemetery, a one-half undivided interest in: Section 19, Block E, Lot 2, Grave Space Nos. 1, 6, 9, 10; and Section 19, Block F, Lot 1, Grave Space Nos. 2 – 10) (Prepared by Attorney Kimberly H. Whitley)
- K. Removed from Consent Agenda and Discussed Under Item “IX. Items Removed from Consent Agenda”. Approved on First Reading Budget Ordinance Amendment Number 25.

ORDINANCE NO. 16-28

BUDGET ORDINANCE AMENDMENT NO. 25

BE IT ORDAINED by the Governing Board of the City of Hickory, that pursuant to Section 15 of Chapter 159 of the General Statutes of North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2016.

SECTION 1. To Amend the General Fund, the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Uses	523,000	-
TOTAL	523,000	-

To provide the additional revenues for the above, the revenues will be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	523,000	-
TOTAL	523,000	-

SECTION 2. Copies of the budget ordinance amendment shall be furnished to the Clerk of the Governing Board, and to the City Manager (Budget Officer) and the Finance Officer for their direction.

- L. Removed from Consent Agenda and Discussed Under Item “IX. Items Removed from Consent Agenda”. Approved on First Reading Capital Project Ordinance Number 4.

ORDINANCE NO. 16-29
CAPITAL PROJECT ORDINANCE NO. 4

BE IT ORDAINED by the Governing Board of the City of Hickory, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, that the following capital project ordinance is hereby adopted for the duration of this project.

SECTION 1. To amend the Capital Project Fund for the Wayfinding Sign System Project (#B1W001), the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Project	523,000	-
TOTAL	523,000	-

To provide the additional revenue for the above, the revenues will be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	523,000	-
TOTAL	523,000	-

SECTION 2. Copies of the capital project ordinance shall be furnished to the Clerk of the Governing Board, and to the City Manager (budget Officer) and the Finance Officer for their direction.

IX. Items Removed from Consent Agenda – Items K & L

Alderman Lail advised that the description given in the agenda packet was that the wayfinding project was one of the bond projects that would be covered initially by City reserves before bonds were actually issued. He advised that was incorrect, it was not one of the bond projects that would be covered by City reserves. He commented it was being funded out of the City’s Fund Balance and would not be reimbursed by bonds.

City Manager Mick Berry thanked Alderman Lail for pointing that out. It was an error on staff’s part. Council had heard numerous presentations on the bond projects and other projects that the City has. As Alderman Lail stated the wayfinding is not a bond project and would be funded out of the General Fund reserves. He requested the corrections to be reflected in the minutes. He advised it

would be on both of those items, one was the Capital Project Ordinance and the other item was moving the funds from the General Fund to the Capital Project Fund.

With that correction being made Alderman Lail moved approval of Items K and L, seconded by Alderman Guess. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderman Lail seconded by Alderman Guess and the motion carried unanimously.

Mayor Wright advised that Alderman Zagaroli had been involved in the sale of fire trucks and arranging for the use of fire trucks.

Alderman Zagaroli presented a PowerPoint presentation regarding the fire trucks. He showed a photo of Fire Chief Fred Hollar and Deputy Fire Chief Derrick Martin as they were unloading the fire truck that will be restored and used for promotions and parades. The fire truck was a 1936 La France. It had been over at the fire truck museum. They are rebuilding the carburetors, and have built benches for the back for kids and adults to ride in. He showed another photo of the truck while it was in the museum. Currently it is at the maintenance department where Derrick and Justin are going through it. He asked Chief Hollar when it might be on the road.

Fire Chief Fred Hollar commented three to five months.

Alderman Zagaroli commented certainly early fall for some of the parades. He showed a photo of the 1924 fire truck located in the shed, and another truck which was also in bad shape. He advised they had negotiated a deal with Mr. George Mills; and his son David Mills is on the force. They are going to restore one or all of these three trucks. They had worked out a financial agreement with them. They are real excited about restoring them. From the City's standpoint \$50,000 to \$80,000 a piece to restore them was probably not in the City's budget. He asked Chuck Hansen how long they had been sitting.

Public Services Director Chuck Hansen advised that he had been at the City for 31 years.

Alderman Zagaroli commented that it is time to move them on. With that money they could restore the 1936 La France. The exciting thing about the new fire truck was it would be used for promotions and parades.

Mayor Wright and Alderman Lail thanked Alderman Zagaroli for all of his effort.

Alderman Zagaroli thanked Alderman Guess for telling him about the truck over at the museum. Otherwise, they were going to try and raise money to restore the old ones, but it was going to be a bigger project than what it has ended up now. They are real pleased.

X. Informational Item

XI. New Business:

A. Public Hearings

1. Approved on First Reading Rezoning Petition 16-03 for Hilton Materials, LLC for Rezoning of approximately 8.09 acres of property located at 1360 11th Avenue SE. The petition is to rezone the property from Regional Commercial (C-3) to Industrial (IND).

Hilton Materials, LLC has petitioned for the rezoning of approximately 8.09 acres of property located at 1360 11th Avenue SE. The petition is to rezone the property from Regional Commercial (C-3) to Industrial (IND). The Hickory Regional Planning Commission conducted a public hearing on May 25, 2016 to consider the petition and voted unanimously to affirm the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan, and recommended City Council's approval of the petition. Staff concurs with the Commission's findings and recommendations.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on June 10, and June 17, 2016.

City Manager Mick Berry asked the City's Planning Manager Cal Overby to the podium to present Council with a rezoning petition.

Planning Manager Cal Overby presented a PowerPoint presentation. He advised that rezoning petition 16-03 was requested by Hilton Materials, LLC and Mr. Monroe Pannell was acting as their agent. The request was to rezone approximately eight acres of property located at 1360 11th Avenue SE from regional commercial C3 to industrial. He displayed a map which was an excerpt of the Hickory by Choice 2030 Future Land Use and Transportation Plan. He pointed

out the location of the property, and Martin Marietta quarry. He pointed out the large industrial area that was classified by the City's Hickory by Choice 2030 Plan. He advised that the area was near Lenoir-Rhyne Boulevard eastward towards Sweetwater Road and expanded to the north to take in Tate Boulevard as it went to the east. It was a large industrial spot of land. He referenced the actual verbiage in the Hickory by Choice 2030 Plan and gave a brief excerpt of the narrative regarding industrial land uses: "to provide locations for the development of land uses generally devoted to manufacturing, processing and assembly, warehousing, distribution and servicing enterprises and office activities". The request to rezone the property to industrial was consistent with these recommendations from the Hickory by Choice 2030 Comprehensive Plan. He showed an aerial photo which gave an overview picture of the area. He pointed out the subject property which was outlined in red, Lenoir-Rhyne Boulevard, 11th Avenue going into the quarry, Maymead, a small manufacturing center, and two residences. He also pointed out the commercial area immediately adjacent to Lenoir-Rhyne Boulevard, and noted that the lot was largely wooded. He pointed out two homes and Hendrix motors. He pointed out the area which was approved for expansion of the Martin Marietta quarry operation. He advised that was done a number of years back when the quarry updated its mining and operational plans.

Mr. Overby discussed the zoning. He pointed out a huge industrial area in Hickory and the property in question. He pointed out where it was contiguous to industrial zoning. He advised there was a small area which contained the manufacturing facility which was zoned commercial. However, he advised that could be easily zoned industrial should the owner of the property wish to do so.

Mr. Overby discussed the history of the property regarding the zone changes. He advised that the property was zoned ED which was an old district called Economic Development. This went back in the early 1980's to the late 1970's. The property was then petitioned to be rezoned in 2000 to a commercial zone which was a regional commercial type zone. The property owner's requested that the property be rezoned to mixed use a year later, which was office, commercial, multi-family. In 2011 new maps were adopted and the City assigned it a C3 zone because it matched what the zoning was at the time the new zoning maps were adopted.

Mr. Overby advised that the Planning Commission reviewed this petition at their May 25th meeting and unanimously recommended approval. They found it to meet all of the criteria for the plan, and it was appropriate for the setting that it was located in. Staff concurred with the Planning Commission's finding and recommendations.

Mayor Wright explained the rules for conducting the public hearing. He declared the public hearing open and asked if there was anyone present to speak in opposition to the proposal. No one appeared. He asked if there was anyone present to speak in favor of the proposal.

Mr. Monroe Pannell addressed Council. He advised that he represented the applicant, Kip Hilton, Hilton Materials LLC. He advised that he understood that Council not only had to consider not only the use that his client might make of the property but any other permitted use in this particular zone. He commented that it appeared that this property was originally zoned industrial. Because of wishes of prior property owners, it got out of the industrial zone and was kept in the commercial zone with the 2011 rezoning map. He commented that it fits in with the City's Hickory by Choice plan. He advised that his client, Mr. Hilton, who was a member of the Caldwell County Planning Board, wished to be a good neighbor and a good citizen of Hickory. He felt that it fit with Hickory's plan and he felt it was an appropriate legislative decision to rezone this property. He thanked Council.

Mayor Wright asked if anyone else wished to speak in favor of the proposal. No one appeared. He closed the public hearing.

Alderman Seaver moved, seconded by Alderman Lail approval of Rezoning Petition 16-03 for Hilton Materials, LLC. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderman Seaver seconded by Alderman Lail and the motion carried unanimously.

ORDINANCE NO.16-30

AN ORDINANCE OF THE HICKORY CITY COUNCIL AMENDING THE OFFICIAL
HICKORY ZONING ATLAS TO REZONE APPROXIMATELY 8.09 ACRES OF
PROPERTY LOCATED AT 1360 11TH AVENUE SE FROM REGIONAL
COMMERCIAL (C-3) TO INDUSTRIAL (IND).

WHEREAS, Article 2, Section 2.2 of the Hickory Land Development Code provides for amendments to the Official Zoning Atlas; and

WHEREAS, the City has been petitioned to rezone approximately 8.09 acres of property located at 1360 11th Avenue SE, more particularly described on Exhibit A attached hereto, to allow an Industrial District; and

WHEREAS, the Hickory Regional Planning Commission considered the proposed rezoning during a public hearing on May 25, 2016 and forwarded a recommendation of approval to the City Council; and

WHEREAS, Article 2 of the Hickory Land Development Code requires findings the proposed rezoning is in response to changing conditions and is reasonably necessary to promote the public health, safety and general welfare; and

WHEREAS, the City Council has found Petition 16-03 to be in conformance with the City's Land Development Plan and Zoning Ordinance,

NOW, THEREFORE, BE IT ORDAINED by the City Council of Hickory, North Carolina, THAT THE REZONING OF THE PROPERTY DESCRIBED IN EXHIBIT A is approved.

SECTION 1. Findings of fact.

1. The subject property is located at 1360 11th Avenue SE, and further identified as PIN 3712-14-43-2806.
2. The rezoning request is intended to further implement the findings and recommendations of the Hickory by Choice 2030 Comprehensive Plan.
3. The rezoning of the property is consistent with the Hickory by Choice 2030 Comprehensive Plan.

SECTION 2. All ordinances or provisions of the Hickory City Code which are not in conformance with the provisions of the Amendment occurring herein are repealed as of the effective date of this Ordinance.

SECTION 3. Consistency Statement

Upon considering the matter, the Hickory City Council found:

1. The general area is classified as Industrial by the Hickory by Choice 2030 Comprehensive Plan;
2. The Hickory by Choice 2030 plan does not specifically reference 11th Avenue SE as an area for future industrial development, but the plan's future land use map identifies an area that borders I-40, and spans from east of Lenoir Rhyne Boulevard to 21st Street Drive SE (Sweetwater Road) as an area for future industrial growth and expansion; and
3. The area to the east beyond the subject property on 11th Avenue, SE is home to some of the most intensive industrial uses within the City of Hickory. These areas house an asphalt production facility (Maymead Materials), as well as a quarry / mining operation (Martin Marietta Materials).

Based upon these findings, the Hickory City Council has found Rezoning Petition 16-03 to be consistent with the findings and recommendations of the Hickory by Choice 2030 Comprehensive Plan.

SECTION 4. This Ordinance shall become effective upon adoption.

B. Departmental Reports:

1. Approved the Friends of Hickory Park Naming Request.

The City of Hickory's Public Facilities Naming Policy stipulates naming proposals can originate in one of three ways: 1. City Council, or an advisory board appointed by City Council, proposes a name for a building, park, street, open space or, an area within a building, park or public open space. 2. City Council accepts a donation of land, money, materials and/or services by an individual or organization where the donor has stipulated a naming will occur to recognize the contribution. 3. An application is received from a city citizen or group of city citizens who wish to recommend the naming of a park, building, public open space, street or a

particular area within a facility. City Staff has determined that the Friends of Hickory's naming request would fall under number two. The naming request was presented to the Parks and Recreation Commission, as a matter of information only, at their June 14, 2016 meeting. Staff recommends Council's consideration of the Friends of Hickory's public facility naming request which will be presented to Council by representatives of the Friends of Hickory organization.

City Manager Mick Berry asked the Parks and Recreation Director Mack McLeod to the podium to present Council with a park naming request for what had been typically called the Friends of Hickory Park.

Parks and Recreation Director Mack McLeod presented Council with a PowerPoint presentation. For Council's consideration was the Friends of Hickory's park naming request for the park that was currently under construction. He advised that Ms. Allison Holtzman, represented the Friends of Hickory organization, was present and would address Council with the formal naming request.

Mr. McLeod discussed the Public Facility Naming process. The policy stipulated that the naming proposal could originate in one of three ways. He pointed out the three ways on his PowerPoint presentation. The first way was City Council, or an advisory board appointed by City Council, proposes a name for a building, park, street, open space or, an area within a building, park or public open space. The second opportunity was that City Council accepts a donation of land, money, materials and/or services by an individual or organization where the donor has stipulated a naming will occur to recognize the contribution. The third way that naming proposals could be originated was an application is received from a city citizen or group of city citizens who wish to recommend the naming of a park, building, public open space, street or a particular area within a facility. The naming requests are categorized in two ways. Those categorized under items one and three are forwarded to the Parks and Recreation Commission or the Library Advisory Board, whichever entity has jurisdiction over that proposed naming area. At that time the public hearing process, which is contained within the policy, would go into effect with a recommendation from that board. The recommendation would be presented to Council who ultimately as the approval authority. Any naming requests categorized under number two, according to the policy, are forwarded directly to City Council for their consideration. City Staff had determined that Friends of Hickory's naming request would fall under number two. Once the park is completed and open it will fall under the jurisdiction of the Parks and Recreation Department and ultimately the Parks and Recreation Commission. The naming request was first presented to the Parks and Recreation Commission, only as a matter of information, at their June 14th meeting. He commented that was a brief synopsis of the policy that was in place. He asked Allison Holtzman to the podium.

Ms. Allison Holtzman addressed Council. She advised it had been a couple of years of planning and construction was underway. She was excited that the park's planning, materials, and construction were privately funded, and was meant to be a gift from the citizens to the City as an example of people caring about the City and caring about the City at-large and wanting to do their part. She advised Lowes Foods started early on as one of the major sponsors of this park. They put up a \$100,000 matching gift. From the very beginning of their fundraising they did that and recently came back in the last couple of months and gave another large gift to be their naming sponsor. A few months ago Friends of Hickory signed a contract with the City stipulating the possibility of having a naming sponsor and a certain amount that would be allowed for someone to name this park. That need had been met and agreed upon. The Board of Friends of Hickory discussed if they would have a naming sponsor for this park or not, and decided they would and would need to cover that opportunity in order to raise the money for this. Lowes Foods stepped up and had done that. They proposed to the Board, and the Board approved that this would be "Lowes Food City Park". They had also been discussing signage which would be low key and keeping it elegant. After much discussion with Lowes, the Board, and presenting it to the Parks and Recreation Commission, they proposed "Lowes Food City Park" as the name.

Alderman Guess asked if anyone from Lowes was in attendance.

Ms. Holtzman advised she had contacted Kimberly George but she had a prior engagement. She reminded Council that the effort was a privately sponsored project, but they want people involved all the way from Lowes Foods, to memberships. She advised there were three more weeks to purchase bricks, so everyone could be a part of this project and they were online at friendsofhickory.com.

Mayor Wright moved, seconded by Alderman Tarlton to approve the request with great appreciation to Lowes Foods and their ownership. The motion carried unanimously.

Council thanked Ms. Holtzman.

2. (a) Approved on First Reading a Contract with Rite Lite of Concord in the Amount of \$453,044.30 for Wayfinding Signs along Major Gateways into Hickory.

Staff requests approval of a contract with the responsible low bidder, Rite Lite of Concord in the amount of \$453,044.30 for the manufacture and installation of Wayfinding signs per the plans and specifications. This project will install a system of 10 signs along major gateways into Hickory directing travelers from I-40, US 321, NC 127, McDonald Parkway, Springs Road, etc., to key areas and facilities within the City. Staff recommends Council's approval of the contract with the responsible low bidder, Rite Lite of Concord in the amount of \$453,044.30 for the manufacture and installation of Wayfinding signs per the plans and specifications; and for the appropriation of funds in the amount of \$475,000 from Fund Balance in the General Fund for the budget for this construction project.

- (b) Approved on First Reading a Contract with EcoConstruction of Florida in the Amount of \$43,540 for the Manufacture and Installation of I-40 Main Line and Ramp Signs.

Staff requests approval of a contract with the responsible low bidder EcoConstruction of Florida in the amount of \$43,540 for Wayfinding project 2 for the manufacture and installation of I-40 main line and ramp signs per the plans and specifications. This project will update signs at the interchanges off Interstate 40 to match with the terminology being used on the Wayfinding signs being installed in project 1 of the overall new Wayfinding Sign System. Staff recommends Council's approval of the contract with the responsible low bidder, EcoConstruction of Florida in the amount of \$43,540 for the manufacture and installation of I-40 main line and ramp signs per the plans and specifications; and for the appropriation of funds in the amount of \$48,000 from Fund Balance in the General Fund for the budget for this construction project.

Mr. Berry asked the City's Public Services Director Chuck Hansen to the podium to present Council with two contracts for the Wayfinding Sign System in which Council previously approved the budget transfer for.

Public Services Director Chuck Hansen presented Council with a PowerPoint presentation. He advised this was wayfinding and not gateways. Gateways was pulled out and was part of the bond program. Wayfinding is not part of the bond and is a General Fund item. They originally started the process in 2009 or 2010 but due to the economy they stopped around 2011 and let it sit on the shelf. They picked it back up early this year, looked at the plans and made some improvements based on some conversations with contractors. They had advertised for bids. He advised there were two projects. He reference project one as the gateway signage project and the second project as the Interstate 40 main line or ramp signage, which is taking those ramp signs and matching up some of the terminology on the gateway signs. It was two separate kinds of contractors which was the reason for breaking that apart. The wayfinding component contained 102 signs. Gateways was pulled out and was part of the bond program now. He showed a photo of what the signage would look like. He advised there was a wayfinding "A" sign, "B" sign, and some directional signs. He pointed out the size relationship of the signs. The signs follow the branding of the City. He pointed out the sign which would have a very large pole from a structural standpoint. They eliminated the clamshell on the large ones. He advised that it would look like a direct bury pole. He pointed out the signs which would be closer to downtown which would be a have a little more pedestrian relationship. He advised they were metal poles and metal brackets painted and would be the City's color scheme. He displayed a map which indicated the locations of the 102 signs scattered throughout town, and mainly the major roadways. There was a block that was downtown and Mr. Hansen had a map of the downtown area itself.

Mr. Hansen advised the first project for the 102 wayfinding signs, had received four bids which there was approximately a three percent

difference in the low bid and the second low bid. The low bid was with Rite Lite of Concord in the amount of \$453,044.30. He recommended awarding that bid to them for the 102 signs. He advised that it was for unit prices. If that changes, within a 15 percent range either way, then that unit price would be adjusted. He reiterated that his recommendation was to award the bid as it was. It was within the budgeted amount.

Mr. Hansen continued the discussion regarding the second project which was the Interstate ramps. The three primary ramp areas were Lenoir-Rhyne Boulevard, Fairgrove Church Road, and McDonald Parkway. Some of those existing signs had been updated since the program had started. They didn't have to change quite as many, but making some of that terminology match the wording on these signs. They work together but to some extent they can work independently of one another. He advised that they had three bidders. The low bidder was \$43,540; the next low bidder was \$116,000 which was quite a bit of difference in those bids. He advised they are checking some references. The low bidding firm was out of Florida. The next low bid was out of Virginia Beach. He commented since Council's first meeting in July had been cancelled, he recommended that Council approve the second contract on first reading and let Staff do some reference checking. If they so choose they could pull it on the next meeting. He wanted to do a little "homework" on this bidder. He didn't want to lose a month in timeframe if they chose to proceed with this bidder.

Mayor Wright asked what the range of bids was.

Mr. Hansen advised, \$43,000, \$116,000 and \$154,000.

Mayor Wright suggested that Staff do a little more checking.

Mr. Hansen commented that this one works independently of the others. He reiterated that they would do a little "homework" on this one. From a timeframe he wanted to keep the process moving. He reiterated that the recommendation was to approve project one to Rite Lite of Concord in the amount of \$453,044.30, and EcoConstruction out of Florida in the amount of \$43,540 for project two. Those totaled approximately 62 percent of what had been budgeted.

Mayor Wright pointed out that he did not bid on any of these jobs. He commented on the \$4,000 a piece for those signs. You first think that is a lot of money. You just don't realize the amount of work that goes into those signs. He was not surprised. He was concerned when he saw ten signs at \$453,000.

Mr. Hansen advised that there was a lot of coordination that had to take place to put them in the field. You have to do location work. You have to core a hole, pour a concrete foundation, anchor bolts, traffic controls.

Mayor Wright asked if they were asking the City to do a lot of that, or if they were doing all of that.

Mr. Hansen advised that it was all part of the contract.

Mayor Wright asked if they had checked their references and if they had done a lot of work like this.

Mr. Hansen confirmed that Rite Lite had done a lot of work like this. The other one they still needed to do some "homework" on. He felt good about project one.

Alderman Lail questioned the lettering on the signs. He commented thinking forward, the signs would have a usable life of 10-15 years. Certainly they would be in place by the time the City walk comes to pass. That would certainly be something that you would want on the sign.

Mr. Hansen advised they had left some places for some of that.

Alderman Lail commented so in other words the signs can be modified. He questioned the lettering asking if it was vinyl lettering, because that would wear out.

Mr. Hansen advised it was a sheet.

Mayor Wright commented it was vinyl.

Alderman Lail commented they must be heavy duty not going to wear out vinyl and not curl up on the edges. He commented that the signs need to be able to grow with us, and that included the streetscape piece too.

Mr. Hansen advised that was the intent.

Alderman Lail commented that some of them are not going to be in the right place when we get a streetscape design.

Mr. Hansen agreed. If that sign has to come up and another footing poured for it and it moved down the street a little bit, so be it.

Mayor Wright pointed out the biggest sign, approximately a \$12,000 sign, to re-letter it would probably be \$400 to \$500 dollars. That sign should last longer than 10 or 15 years.

Alderman Lail interjected that the City would have the bond projects then.

Mayor Wright added that it needs to be reletterable and reflective.

Mr. Hansen confirmed they were.

Mayor Wright moved, seconded by Alderman Zagaroli approval of the contract with Rite Lite of Concord and EcoConstruction of Florida. The motion carried unanimously.

3. Approved Applying for the 2016 Grant Cycle of the Surface Transportation Program-Direct Apportionment Funds (STP-DA) through the Greater Hickory Metropolitan Planning Organization in the Amount of \$8,000,000 Including a City Match of \$1,600,000.

The Greater Hickory Metropolitan Planning Organization (GHMPO) issued a call for projects to agencies in its jurisdiction for Surface Transportation Program-Direct Apportionment (STP-DA) funding. A total of over \$10 million dollars is available to award among four different transportation modals: bicycle and pedestrian, intersections, roadway, and transit. STP-DA is comprised of a collection of discretionary programs including greenways, intersection improvements, and signalization improvements. Each agency may submit no more than three project of not less than \$200,000 each for possible award. The funding requires a minimum 20 percent local cash match. Project funds must be spent before September of 2017. The City of Hickory is applying for funding for three different projects: (1) City Walk Pedestrian Bridge Construction, (2) Highway 321 Roadway Bridge Design Aesthetic Enhancement, and (3) Riverwalk Design. Staff requests approval to apply for the 2016 grant cycle of the Surface Transportation Program-Direct Apportionment (STP-DA) funds through the Greater Hickory Metropolitan Planning Organization in the amount of \$8,000,000 including a City match of \$1,600,000*.

Mr. Berry asked Assistant City Manager Andrea Surratt to the podium to present Council with a grant opportunity to match up with several City projects.

Assistant City Manager Andrea Surratt presented Council with a PowerPoint presentation. She discussed a grant process that the City had applied for and had received funds from this time last year. The cycle had come back around and there was an opportunity to submit three projects for this grant program, several of which were tied to the bond program, and all of which were a result of Inspiring Spaces. She advised that the program was through the United States Department of Transportation (USDOT), the Surface Transportation Program – Direct Attributable (STP-DA) program which provides funding at a national level to cities and States for a lot of different projects, such as pedestrian and bike projects, roadways, bridges, and tunnels, etc. She advised that funding had come from the Federal level through the State all the way down to the Metropolitan Planning Organization (MPO). The Greater Hickory MPO administers the funds that are received for the four county area which receives a discreet amount of money. Cities or counties in the area can apply for projects, but the minimum project is \$200,000, which might not work for every community in the four county area. The Federal modal investment target, what the Federal government wants, is cities to focus on bike/pedestrian projects, of which 50 percent of the money goes to that, as well as roadways, intersections, and public transportation. They get \$2.7 million dollars every year. This is the second year of this project. There are a number of projects that have been approved, but there had also been some projects from other communities that had been turned back in so the dollar amount was a little

higher this year in particular. Those funds that are not spent roll to the next year, so the pot can get larger if funds are not used. The goal is to use the funds, otherwise they might not stay around forever. She showed a list of the non-eligible projects. The US Federal government tells you that you can't use this for the State levels, NCDOT activities, promotions, parkland or park facilities or routine maintenance. Those categories are screened out immediately. She showed the guidelines which contained six key components for what the funds can be used for and how they get measured. She commented that it is a puzzle that we are able to weave together to submit the City's projects. Everything needs to meet the Federal test, it has to be a local project, locally administered. It has to be compliant with the plans, the local plans and also the State's TIP program. It has to have local funding commitment and also the project design must meet the Federal guidelines.

Mrs. Surratt showed the City's set of projects that they started out with the bond program. Those sets of projects got whittled down. There were five gateways, nine streetscapes, the Riverwalk and the City Walk. They got whittled down to the connectivity program. The City will submit three projects. She showed the first project. She discussed why the projects were applicable and why they were important for Hickory at this time. She discussed the City Walk. They would like to ask for funds for construction of City Walk. This project was already on the State TIP, it was part of the Inspiring Spaces program, the bond program, and it was a bike and pedestrian project. She reiterated that we have to follow Federal guidelines when we apply for monies and receive grant monies, we then are following a Federal process which is slightly more time consuming and takes a few more steps than some other funds, or if we were to pay for it outright. That included a NCDOT Municipal Agreement with the City, and also a NCDOT review of the RFQ, a design contract, and then design review, and bid award requirement. All of those things would happen with City Walk. *The City applied for City Walk design funds this time last year and was awarded a million dollar grant, \$800,000 from the program, \$200,000 match. We were not able or ready because we had not developed the final list of projects. It took until the end of February to finalize the list. We would have had to have started the process for acquiring the Federal dollars by doing all of that work ahead of that process. We were not ready to use the Federal grant monies, the \$800,000, for design of City Walk. We would have had to start much earlier than we did to be ready for our RFQ in April. What we have learned is that we can roll these funds into a request for an additional million, bringing that million from last year into the current year and asking for \$4.5 million, \$3.5 in new money and one million from last year, all of it rolling into construction dollars for City Walk. The money keeps going forward but you have a certain finite window to spend the dollars. You also have to start early enough with the process in order to access the funds. We were not ready to do that at that time, and now we can if we move it to being in this next round of funding. She advised what they were asking for includes funds potentially for the pedestrian bridge. They had \$1.7 allocated in the bond program, and this could potentially put \$3.5 to the City Walk, the pedestrian bridge, any aspect of the construction that we would want to cover. The City match of 20 percent becomes \$900,000 with the additional one million.

Mrs. Surratt continued the discussion with Highway 321. She advised of the two new bridge spans that were being planned. DOT meetings were coming up in the next month. She advised it was the City's second request and it was already on the STIP, U4700. They were asking potentially, with Council's approval, for upgrades in the lighting, the architectural features, railings, and gateway design features for the two new bridge spans that will be built. She discussed the timing challenge. The final design will happen this fall. In order for the City to have a seat at the table they need to be able to say we have \$3.5 million ready from the City of Hickory accessing STP-DA funds, to say to the State that we would like a seat at the table, we are ready to pay for upgrades to the design. This is a step that NCDOT is very comfortable with. Mrs. Surratt had met with them several times, and it was an opportunity for the City to change the look of what will be a routine bridge design. We wouldn't have any way to affect that change without saying that we were ready to upgrade those features on the bridge. This project would then be a part of the grant request, and because of the timing with this one you would want to think about it now. Moving forward the design will happen in the fall and winter, and we want have the funds if Council is interested. She advised this is the time to access these funds and this project meets the test for that grant. She provided more information of where it was at in the Inspiring Spaces Plan. She commented that they even talked about it as being a pedestrian bridge for that particular new bridge construction. What they had talked about so far was, they would like to have the northbound current bridge become a pedestrian bridge and let that also be a part of the City program and we would take ownership of that bridge. She advised that was coming in future years and in future years they could ask for these types of funds to improve that bridge. Right now the question was Council interested in the upgrade of the two new bridge designs. She commented

\$3.5 million dollars would not necessarily come to the City, they would get moved from the MPO allocation to NCDOT. It would move into their design and construction budget. They would know that a certain amount is allocated for upgrades in the design.

Alderman Guess asked if those are approved who makes the decisions on what happens with that money specifically.

Alderman Tarlton questioned what sort of upgrades.

Alderman Guess advised he was asking if it was approved and all done, how much influence would the City have at that point over what happens.

Mrs. Surratt advised it was her understanding from talking with the DOT engineers that they would meet directly with the design firm and that could be a firm called RK&K, they do design work for NCDOT. We would advise them that we have this amount of money. We are not unique to this, other cities have upgraded other bridges. They are comfortable with working with cities. They would say for example lighting at this design standard cost "X", they would normally put in this standard, but this cost a little more, that is part of your money spent. They would show us three or four designs for the rails, maybe something different than what a standard bridge looks like and we could select based on the cost and the same thing for any gateway features on either side of the bridge. We just have an opportunity with those dollars to have those discussions with the DOT.

Alderman Tarlton commented that should do something really nice with that much money.

Mrs. Surratt advised that she was pretty comfortable that is quite a bit of money to put toward design.

Alderman Guess commented that the whole idea is to have that bridge be something more iconic to go with the theme of what is going on there with Riverwalk and everybody else's plan rather than just have it be a typical ordinary bridge that you see in North Carolina.

Alderman Tarlton referenced how long these two spans would be.

Alderman Seaver asked if there were artist renderings of what the City wants that bridge to look like.

Mrs. Surratt clarified Alderman Seaver's question if the City was going to provide artist renderings.

Alderman Seaver asked if the City had any idea of what it would look like.

Mrs. Surratt replied no, we do not have any idea. What we realistically have to do is have the engineers give us some choices and pick the best one that we can afford.

Alderman Guess commented that he thought they had some samples.

Mrs. Surratt confirmed that was correct.

Alderman Seaver thought that maybe the City had to have all of that in place as far as what we want.

Mrs. Surratt advised they would do the work, we would just have the monies and say we want to be a part of that process. She advised there would be some trips to DOT and some approvals that would have to come through the board for Council's approval. She explained the process. They finish the environmental assessment. They are having their community meetings next month and the design starts and right of way acquisition. The bridge is one of the first parts of that program.

Alderman Tarlton asked if Caldwell County was participating in that at all.

Mrs. Surratt advised not in the bridge, but of course the roadway affects them as well.

Alderman Lail commented that Council would not meet again until DOT had their public hearing at Winkler Park. He commented that they needed a good turnout of Council members and Staff there, first of all to understand it, and secondly to

advocate on behalf of the City. This 321 project will be a major project to the City and the whole region.

Alderman Seaver questioned if people would be allowed to speak at the meeting.

Mrs. Surratt confirmed they would. There will be a specific local officials meeting during the July 11th time when they are here. She advised the open house was at 4:00 p.m. at Winkler Activity Building. They would likely meet ahead of that meeting, maybe by an hour or half an hour with Council. She would get the details. They will do the same type of meeting in a Caldwell County setting the next day.

Alderman Lail commented that would be the meeting that Council needed to be at.

Mrs. Surratt agreed.

Alderman Seaver asked if the 321 road up to Cahah's Mountain was going to be more like a freeway with exits.

Mrs. Surratt advised it was going to be a super street design the way they had seen it so far which is no direct intersections, but it is the crossovers, the left overs, left hand turns, double back, and some interchanges as well.

Alderman Tarlton couldn't wait to see the plan.

Mrs. Surratt advised that this particular project was not in the current \$35.5 million, so bond funds were not necessarily available for this project the way it stands today. However, she nor Chuck Hansen could not figure out another way to access that much money. They would know the answer to this question by early August, whether we get this grant or not. All indications are that we will. This was the only way that she could find to pay for as much of the grant as she could pay for and get us some upgrades that we can do. But it does require the match which she took very seriously and so did Rodney Miller, Chuck Hansen and Mick Berry.

Alderman Seaver asked if they knew how much higher that bridge was going to be.

Mrs. Surratt responded 22 feet higher.

Alderman Seaver commented that it would still be good to have a birds-eye view from that height along the river there to see what it would look like before they start doing all of that extensive design on it.

Mrs. Surratt commented there may be somethings underneath the bridge, lighting, that might be significant. Maybe everything doesn't have to be above the bridge span.

Alderman Tarlton asked if they were keeping one or both of the old bridges.

Mrs. Surratt responded just the northbound bridge which is in the best shape. It is the newer of the two current bridges. They would keep the whole thing all the way to the other side.

Alderman Tarlton asked if it would be part of a greenway trail.

Mrs. Surratt replied yes sir. The City would upgrade it. In order for the City to obtain ownership of that bridge, and turn it into a pedestrian walkway, the City would have to make some improvements to that bridge. The City just couldn't take that over and say everybody gets to go walk on it. The City will need to make some safety improvements, some higher railing, and lighting. There are future grant opportunities. That is another opportunity through this STP-DA funding. That would be a perfect project in the future years. She felt like they could bring that one back through.

Alderman Guess asked who ultimately makes the decision on the grants.

Mrs. Surratt advised the process was decided through the Greater Hickory MPO, so John Marshall and a panel of staff. She didn't know exactly who the players were. She advised they had been speaking directly with Planning Director John Marshall.

Mrs. Surratt continued the presentation with the third project, Riverwalk design. She advised that Riverwalk design would need to be added to the TIP, which could be done through a process through the MPO. Funds to design the Riverwalk

would be what they would be asking for. The reason they could make this connection is not because there is parkland along the Riverwalk, it is because it could be a pedestrian connection to the 321 northbound bridge. It is trying to make the case that the design of the Riverwalk would be greatly enhanced by knowing that the 321 northbound bridge was a part of the bigger program and then designing a connection from Riverwalk itself. She said imagine where Riverwalk ends at the water treatment plant, we then need to get up and over to the current 321 northbound bridge. That is going to require a little bit of extra design. All of that is being factored in right now to the design of Riverwalk. If we access these funds, and got approval by August, then we are headed toward an RFQ process for Riverwalk. We would know that would be just a slight adjustment to the base of the Riverwalk Bridge. A million for Riverwalk design. She advised that was \$200,000 that could be a request for payment through bond funds and the grant for \$800,000. She reiterated that we have to be careful following that Federal process which may add a month or two to our steps, but we access quite a bit of funds for that. In future years there could be streetscapes. She advised that a number of Staff had asked why they didn't go ahead and do money for Old Lenoir Road. The answer to that, it is too far out. They can't encumber those funds and spend them because the Old Lenoir Road timetable is too far out. It could be a project for future years.

Mrs. Surratt advised that these three projects fit within the timetable, and really nothing else does from the bond program. She advised it was the same thing with Highway 127, or Lenoir-Rhyne Boulevard. All of those are programmed but they are far enough out that this year would not allow us to access the funds in time.

Mrs. Surratt summarized the request was \$4.5 million for project number one. We would need to submit to the MPO, what the priorities were. They had ranked them as number one being funds for City Walk/pedestrian bridge construction at \$4.5 million. Highway 321 new bridges as project number two, and project number three Riverwalk design. She advised that totals \$9 million in total project proposal cost with basically a \$1.8 million dollar match of which \$700,000 comes from General Fund and the remainder from bond funds.

Alderman Seaver moved approval.

Mayor Wright asked Assistant City Manager Rodney Miller if he was comfortable with all of this.

Assistant City Manager Rodney Miller responded yes, sir.

Alderman Seaver moved, seconded by Alderman Zagaroli approval to apply for the 2016 grant cycle of the Surface Transportation Program-Direct Apportionment funds. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderman Seaver seconded by Alderman Zagaroli and the motion carried unanimously.

RESOLUTION NO. 16-11

RESOLUTION AUTHORIZING THE CITY OF HICKORY TO SUBMIT AN APPLICATION TO THE GREATER HICKORY METROPOLITAN PLANNING ORGANIZATION IN THE AMOUNT OF \$8 MILLION DOLLARS FOR SURFACE TRANSPORTATION PROGRAM – DIRECT APPORTIONMENT FUNDS FOR CITY WALK PEDESTRIAN BRIDGE CONSTRUCTION, HIGHWAY 321 BRIDGE DESIGN AESTHETIC ENHANCEMENT, AND RIVERWALK DESIGN PROJECTS*.

WHEREAS, the Greater Hickory Metropolitan Planning Organization (GHMPO) issued a call for projects to agencies in its jurisdiction for Surface Transportation Program-Direct Apportionment Funding (STP-DA). A total of over \$10 million dollars is available to award among four different transportation modals: bicycle and pedestrian, intersections, roadway, and transit. STP-DA is comprised of a collection of discretionary programs including greenways, intersection improvements, and signalization improvements. Each agency may submit no more than three (3) projects of not less than \$200,000 each for possible award. The funding requires a minimum 20 percent local cash match. Project funds must be spent before September of 2017.

The City of Hickory is applying for funding for three (3) different projects.

The first project, City Walk Pedestrian Bridge Construction, is part of the Inspiring Spaces Plan and the bond project priorities. The City Walk connects Lenoir-Rhyne University to Downtown via a greenway constructed along Main Ave NE/NW

and the Norfolk-Southern Railroad line. This is project EB-5750 in the State Transportation Improvement Plan. The total project cost is \$3,500,000, with \$2,800,000 being requested through the grant, and the City of Hickory matching 20% or \$700,000. The match funds can come from the bonds funds.

The second project, Highway 321 Roadway Bridge Design Aesthetic Enhancement, will upgrade the lighting, railing and architectural features, and gateway entrance features for the Highway 321 bridge spans that will be constructed as a part of TIP U-4700 with the bridge portion of the project going into final design in the fall of 2016. These improvements will create a gateway into Hickory from Caldwell County and provide a landmark experience for motorists traveling north to the mountains. This project is in the Inspiring Spaces Plan. The total project cost is \$3,500,000, with \$2,800,000 being requested through the grant, and the City of Hickory matching 20% or \$700,000. Matching funds can come from General Fund-Fund Balance.

The third project, Riverwalk Design, will provide funds to design the Riverwalk project, a greenway/boardwalk along Lake Hickory from the Highway 321 Bridge to Rotary/Geitner Park (being redeveloped by the Lackey family). The total project cost is \$1,000,000, with \$800,000 being requested through the grant, and the City of Hickory matching 20% or \$200,000. Matching funds can come from bond funds.

NOW, THEREFORE BE IT RESOLVED, that the City of Hickory is hereby authorized to submit STP-DA applications in the amount of \$8,000,000 and will commit \$1,600,000 as a cash match for City Walk Pedestrian Bridge Construction, Highway 321 Bridge Design Aesthetic Enhancement, and Riverwalk Design projects.

Mayor Wright advised that concluded Mr. Berry's last departmental report for the City of Hickory.

Mr. Berry commented and a good one. As Mrs. Surratt had said, grant funds going along with all of the projects, it is exciting. Just like the Mayor had said we are going to turn this into a hundred million before it is over and done with, maybe more.

3 Appointments to Boards and Commissions

BUSINESS DEVELOPMENT COMMITTEE

(Terms Expiring 6-30; 2 Year Terms) (Appointed by City Council)

At-Large (Council Appoints) Cheryl Garnett Resigned 5-23-2016

CITIZENS ADVISORY COMMITTEE

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)

At-Large (Council Appoints) Mark Huggins
(Not Eligible for Reappointment)

COMMUNITY APPEARANCE COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)

Ward 3 (Seaver Appoints) David Moser
(Eligible for Reappointment/Does Not Wish to Serve Again)

Ward 4 (Guess Appoints) Candace Brown
(Eligible for Reappointment/Does Not Wish to Serve Again)

Ward 5 (Zagaroli Appoints) Debbie Rush
(Not Eligible for Reappointment)

At-Large (Outside City but within Hickory Regional Planning Area) (Council Appoints) Andrew Straw
(Eligible for Reappointment/Does Not Wish to Serve Again)

At Large (Council Appoints) Janet Painter
(Eligible for Reappointment/Does Not Wish to Serve Again)

Alderman Zagaroli nominated Justin Query, Ward 5 Representative, Community Appearance Commission

COMMUNITY RELATIONS COUNCIL

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)

Caucasian (Council Appoints) Darrell Rogers
(Eligible for Reappointment/Does Not Wish to Serve Again)

Other Minority (Council Appoints) VACANT

Other Minority (Council Appoints) Adelia Parrado-Ortiz resigned 5-20-2016

HICKORY REGIONAL PLANNING COMMISSION

(Terms Expiring 6-30; 3-Year Terms With Unlimited Appointments)

(Appointed by City Council)	
Ward 1 (Lail Appoints)	Bill McBrayer
	(Eligible for Reappointment/Willing to Serve)
Ward 2 (Tarlton Appoints)	Barbara Clemmons
	(Eligible for Reappointment/Does Not Wish to Serve Again)
Burke County (Mayor to Nominate)	VACANT Since 8-6-2008
Brookford (Mayor to Nominate)	VACANT Since 6-2006

Alderman Lail reappointed Bill McBrayer as the Ward 1 Representative on the Hickory Regional Planning Commission.

Alderman Tarlton questioned an appointment on the Hickory Regional Planning Commission. He thought he had appointed Kay Schmucker to be appointed in Barbara Clemmons place.

Mayor Wright asked for that to be checked on.

Alderwoman Patton thought Ms. Schmucker might be in her Ward.

Mr. Berry advised Alderman Tarlton that the City Clerk had advised that Kay Schmucker did not live in his Ward. The requirement was they have to be a resident of the Ward. The City Clerk had checked that and that is why that had not been done.

Alderman Tarlton advised he would find another person to serve.

HISTORIC PRESERVATION COMMISSION

(Terms Expiring 6-30; 3-Year Terms (Appointed by City Council)	
Historic Properties (Council Appoints)	Sarah Huffman
	(Not Eligible for Reappointment)
Building Trades Profession (Council Appoints)	Larry Triplett
	(Not Eligible for Reappointment)
At-Large (1) (Council Appoints)	Steven Walker
	(Not Eligible for Reappointment)

INTERNATIONAL COUNCIL

(Appointed by Mayor with the Concurrence of City Council)	
(6) Positions	VACANT

LIBRARY ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)	
Ward 1 (Lail Appoints)	Barbara De La Garza
	(Eligible for Reappointment/Willing to Serve)
Ward 4 (Guess Appoints)	Juanita Dula
	(Not Eligible for Reappointment)
At-Large (Mayor Appoints)	VACANT

Alderman Lail reappointed Barbara De La Garza as the Ward 1 Representative on the Library Advisory Board.

PARKS AND RECREATION COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)	
Ward 2 (Tarlton Appoints)	Susan Sigler
	(Eligible for Reappointment/Willing to Serve)
At-Large (2) (Council Appoints)	Angie Aycock
	(Eligible for Reappointment/Does Not Wish to Serve Again)
At-Large (3) (Council Appoints)	Joyce Beard
	(Not Eligible for Reappointment)

PUBLIC ART COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)	
Ward 2 (Tarlton Appoints)	Allen Finley
	(Eligible for Reappointment/Willing to Serve)
At-Large (Mayor Appoints)	M. Todd Hefner
	(Eligible for Reappointment/Willing to Serve)
At-Large (Mayor Appoints)	Phil Barringer
	(Not Eligible for Reappointment)
At-Large (Mayor Appoints)	Harold Humphrey
	(Eligible for Reappointment/Willing to Serve)

Alderman Tarlton reappointed Allen Finley as the Ward 2 Representative on the Public Art Commission.

Mayor Wright reappointed M. Todd Hefner as an At-Large Representative on the Public Art Commission.

PUBLIC HOUSING AUTHORITY

(Terms Expiring 6-30; 5-Year Terms) (Appointed by the Mayor)
Position 6 (Mayor Appoints)

Steve Hunt
(Eligible for Reappointment)

Mayor Wright discussed the Housing Authority. He had wrestled with this for a long time. He commented that Steve Hunt was appointed four years ago. Mayor Wright had asked him to take the position. He advised that Mr. Larry Pope was on that Board, and there were issues about a contract between his brother and the Housing Authority. That was the subject of an agreement that they had to enter into to pay back five hundred and some thousand dollars to HUD for payments made to Mr. Pope's brother under the rules of HUD. That didn't mean that anything was wrong with that and Mr. Pope recused himself and thought that he had taken a valid position by recusing himself. He thought the full Board and their attorneys thought they had. It didn't matter. After the Housing Authority broke the contract with Mr. Pope that relationship was shattered beyond repair between Mr. Pope and the Board. Mayor Wright asked Mr. Steve Hunt if he was willing to serve on that Board, knowing that there would be some degree of resentment of that appointment, but he agreed to serve, and he had served. The issues that had arisen at the Housing Authority, most of the ones that involved any real money, occurred before he was appointed. Mayor Wright commented that he only nominates. It says Mayor appoints, but he only nominates. He said it says it in a lot of other places, Mayor appoints, but he only nominates. Alderman Tarlton doesn't appoint he only nominates. The same with him. He nominated Steve Hunt for reappointment. He told Council that he was going to communicate to the Housing Authority Board, as long as he has the responsibility for nominating, they are going to be making changes among those people who have served on that Board for a long time. Mr. Hunt had not served but one term, and had graciously agreed to serve. It is very hard to find people to serve on that Board. It doesn't pay any money. It is thankless, and there are always people taking potshots at you. He reiterated his nomination for reappointment Mr. Steve Hunt. Alderman Tarlton seconded the motion. Mayor Wright asked if they were going to vote separately on that appointment.

Alderman Patton confirmed that was correct.

Mayor Wright commented that they hadn't voted on the other appointments.

Alderman Patton requested to vote separately on the Public Housing Authority appointment.

Mayor Wright requested Alderman Patton to move that Council vote separately on the Public Housing Authority appointment.

Alderman Patton moved, seconded by Mayor Wright that Council vote separately on the Public Housing Authority reappointment. The motion carried unanimously.

RECYCLING ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 2 (Tarlton Appoints)

Charlie Hayes
(Not Eligible for Reappointment)

Ward 3 (Seaver Appoints)

VACANT

Ward 4 (Guess Appoints)

William Kanupp
(Not Attending Meetings)

At-Large (Council Appoints)

Jeff Bartlett
(Eligible for Reappointment/Does Not Wish to Serve Again)

At-Large (Council Appoints)

Jeff Wright
(Eligible for Reappointment/Does Not Wish to Serve Again)

SALT BLOCK FOUNDATION

(Terms Expiring 6-30; 2-Year Terms) (Appointed by City Council)
Hickory Representative

Alderman Zagaroli
(Eligible for Reappointment)

Alderman Lail recommended Alderman Zagaroli as the reappointment to the SALT Block Foundation as the Hickory Representative.

TOURISM DEVELOPMENT AUTHORITY

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Owner/Operator (Council Appoints)

Kevan Patel

Owner/Operator (Council Appoints)	(Eligible for Reappointment/Willing to Serve) Renee' Keever
Demonstrates Interest (Council Appoints)	(Eligible for Reappointment/Willing to Serve) Phil Yount

Alderman Lail recommended Kevan Patel and Renee' Keever, Owner/Operator Representatives and Phil Yount, Demonstrates Interest Representative on the Tourism Development Authority.

UNIVERSITY CITY COMMISSION

(Terms Expiring 6-30; 2-Year Terms) (Appointed by City Council)

Chamber of Commerce Executive Director or his/her Designee	Danny Hearn
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(Eligible for Reappointment)

Mayor Wright nominated Danny Hearn for reappointment as the representative of the Chamber of Commerce on the University City Commission until his successor is named.

WESTERN PIEDMONT REGIONAL TRANSIT AUTHORITY BOARD OF DIRECTORS

Andrea Surrat – Primary	Cameron McHargue - Primary
Caroline Kone – Alternate	Caroline Kone – Alternate

Alderman Lail recommended approval of the delegates Cameron McHargue, as primary delegate and Caroline Kone, as alternate delegate on the Western Piedmont Regional Transit Authority Board of Directors.

YOUTH COUNCIL

(Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)

The Youth Council Applicant Review Committee Makes the Following Recommendations for Appointment to the Youth Council:

Darian Abernathy	Hickory High School Representative
Carson Bailey	St. Stephens High School Representative
Caroline Collins	At-Large Representative
Chase delCharco	Private School Representative
Molly Dwyer	At-Large Representative
Bella Fields	Hickory High School Representative
Trevor Fulcher	At-Large Representative
Shea Hall	Private School Representative
Kaleb Hewitt	Hickory High School Representative
Aislynn Hosey	Homeschool Representative
Arianna Mack	St. Stephens High School Representative
Claire McCrea	Hickory High School Representative
Ben Neuville	St. Stephens High School Representative
Sophie Rice	Hickory High School Representative
Madison Schultz	St. Stephens High School Representative
Mikaela Simmons	Hickory High School Representative
Caylin Stinson	Hickory Career Arts Magnet Representative
Matthew Sturgess	At-Large Representative
Jalil Thompson	Hickory High School Representative
Katelynn Thompson	Fred T. Foard High School Representative
Elizabeth Wood	At-Large Representative

Alderman Lail recommended acceptance of the Youth Council recommendations.

Mayor Wright commented, exclusive to the Public Housing Authority, he asked for a motion to appoint the nominees.

Alderman Lail moved seconded by Alderman Zagaroli approval of the above nominations with the exclusion of the Public Housing Authority. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderman Lail seconded by Alderman Zagaroli and the motion carried unanimously.

Mayor Wright moved, seconded by Alderman Tarlton to reappoint Steve Hunt to the Public Housing Authority.

Alderwoman Patton commented that at a meeting with the Housing Authority, several of them, they had indicated that they would in fact make changes within the Board voluntarily, and that has not happened at all and there has been no

movement in that direction. So we are left with what we have been stuck with as far as the same issues, same Board, no change.

Mayor Wright commented it is a very difficult issue for all of them.

Mayor Wright announced that he moved, seconded by Alderman Tarlton. The vote was taken Ayes: Mayor Wright, Alderman Tarlton, Alderman Lail, Alderman Seaver, Alderman Guess, Alderman Zagaroli and Nay: Alderwoman Patton. The motion carried 6 to 1.

C. Presentation of Petitions and Requests

XII. Matters Not on Agenda (requires majority vote of Council to consider)

XIII. General Comments by Members of Council, City Manager or City Attorney of a Non-Business Nature

Alderman Lail advised Mr. Berry that he had thoroughly enjoyed working with him. He honestly meant that, especially when he wasn't off fishing. It had been really good having him at the City. He had done a good job in between those fishing trips. He felt like in a lot of ways they were peers. He advised that Mr. Berry had mentored him in ways that he was sure he didn't know, because he had never expressed that. Mr. Berry had shown incredible integrity, vision, leadership, great team building, made good decisions, and gone above and beyond, from his prospective, to see that things are handled fairly and equitably. He commented that it was deeply appreciated. He commented more than all of that you are just a good guy. That in and of itself is something to be proud of. He had really enjoyed it. He thanked Mr. Berry.

Mr. Berry thanked Alderman Lail.

Mayor Wright commented that Mr. Berry had done a wonderful job at a very difficult time. He didn't think that people would know unless they had served as a Council member or served as a manager what a difficult time this had been for Hickory. Nothing had come easy. He wasn't whining about it, he was just saying that Mr. Berry had done a heck of a job. He referenced Clarksburg, West Virginia and Scranton, Pennsylvania where they went through similar problems as Hickory had and they came out of it with their population down almost 50 percent. Council couldn't take credit as a Board, or Mr. Berry personally, but somehow this thing had stayed in the road enough that Hickory has not had a drop in population. The demographic groups had moved around in ways that some of them are not completely happy with, but the first thing is hold the line, and we have held that line. We have held the City's financial position as one of the soundest in North Carolina. He commented he would tell the truth about him later.

Alderman Guess commented that he had the pleasure of being on both sides. He had been an employee of the City under Mr. Berry's leadership, and also being on the City Council's side under Mr. Berry's leadership. He couldn't echo any better what Alderman Lail had already said. He couldn't think of a better person to have run the City during this time period than Mr. Berry. Without repeating everything that Alderman Lail so eloquently said, he thanked Mr. Berry and appreciated all that he had done and he thanked him for being his friend.

Alderwoman Patton commented that she appreciated everything that Mr. Berry had taught her, patience as part of it, and learning the process. He had been very good at that and had shown great leadership throughout the turmoil of the economy and how it hit us, and to help Council put together the vision of the bond and what Hickory can be. She greatly appreciated that.

Alderman Zagaroli commented as a rookie, and he had only been here two years, it had been a very enjoyable two years. He was sorry to see Mr. Berry go, but he hadn't gone because they would still be working with him. Great job.

Alderman Seaver commented that he was under the impression that City Managers for Hickory served twenty year terms. Mr. Berry came up a little short there. He was floored when Mr. Berry had called and told him that. He was expecting Mr. Berry to stay on at the City and lead us on through. He commented they had talked about the ship sailing smoothly in the proper direction and so forth which brings us to the question, why would a Captain jump off a perfectly good ship, doing all of the right things, and going the right direction? There is another ship out there that needs some guidance and it is not too far away. Like the Mayor said, he is still working for us.

Alderman Guess commented that they pay County taxes.

Mr. Berry commented he realized that.

Alderman Seaver commented they pay County taxes, but don't get all of the services that the County people get. Maybe Mr. Berry can work on that a little bit. He commented that they appreciate all that Mr. Berry had done for the City of Hickory and they look forward to working with him in this other capacity.

Mr. Berry thanked Alderman Seaver.

Alderman Tarlton commented that he was new to City Council, but he had worked with Mr. Berry for a longtime and had always admired him. He advised Mr. Berry he was happy for him. He will do a good job and it was a great personal move.

Mr. Berry commented it had been a joy working with all of them. It takes a whole team effort. The elected officials working with the Staff. He commented 640 folks working for the City had made him look good in some pretty rough times, and he was appreciative of that. He hoped that the County employees were as good at making him look good as the City employees had been. It had been a great journey, good partnerships all the way around. He thanked them and said they had been very gracious and kind.

City Attorney John Crone stated, class, integrity, and he echoed Alderman Lail's comments which were right on point, a downright good guy.

Mayor Wright mentioned that he had received a call from Phil Baucom, which was probably Margaret Baucom's son. Margaret Baucom was the City Clerk for many years. Mr. Baucom had contacted the Mayor and told him he had a key to the City and had lost it. Mayor Wright had inquired what kind of key that Mr. Baucom had. Mr. Baucom advised it was three inches long on a block of wood. Mayor Wright advised that the City didn't do the blocks of wood anymore, but we had a key about three inches long. Mayor Wright referenced it as the \$14 key. Mr. Baucom had requested that Mayor Wright mail him the key. Mayor Wright asked for Council's thoughts about that. He felt he should mail him a key.

Alderman Guess commented that he should verify who he was first.

City Attorney John Crone commented that Ms. Baucom was at the City for years, and years, and years.

Discussion continued about the key and Mayor Wright decided he would mail the key to Mr. Baucom.

Alderman Seaver mentioned the Kiwanis Splash pad. He had spoken with the engineers and they hoped to have it complete by the end of June as scheduled. He talked about how fast the concrete dried at the site. He advised that the engineer had mentioned some of the other projects that they had done, and several Kiwanis clubs had done similar projects.

Mayor Wright encouraged everyone to go out there and look at it. He advised that it really looked good and was going to be a tremendous asset for the entire City and for that park, which started off as a nice Kiwanis Park. It is now a showplace. He advised the grand opening would be sometime in July. He didn't know who was going to direct the traffic. He told Major Thurman Whisnant that they would have to have help that day.

Mayor Wright asked Assistant City Manager Rodney Miller to the podium.

Assistant City Manager Rodney Miller invited Staff to join him at the podium to send Mr. Berry off on a good note. He commented that he was a little conflicted based on the accolades that he heard from City Council regarding Mr. Berry. He wasn't sure that they had seen the full side of him. He was glad that they had gotten all of the compliments out of the way. He advised that he and Staff would share a few things of Mr. Berry that Council might not be aware of. He commented at the risk of still working with Mr. Berry for the next thirteen days he should be very delicate. He referenced Alderman Seaver's comments regarding the Captain of the ship, and advised that the office had another name, the rat going down with the ship. He advised he had the honor and the privilege to lead Staff off. He was saying farewell to Mr. Berry for the second time. He and Mr. Berry went back to the County days 15 years ago where they worked together. Mr. Miller had worked for Mr. Berry. He left, and then brought Mr. Miller to the City. Mr. Berry is now leaving again. He commented maybe he should apologize to Council, maybe he was the source of Mr. Berry leaving. Mr. Miller said that Mr. Berry had heard the accolades, and often times Manager's or elected officials go out with a Proclamation. Making it "Mick Berry Day" or something corny like that. Staff had got together and decided that "McBerry" sounded good so they called it "McBerry Day". He advised the Proclamation was drawn up by Staff. Mr. Miller and Staff read and presented the Proclamation.

Mayor Wright asked Mr. Berry to the podium. He read and presented a Proclamation to Mr. Berry for "Mick Berry Day" and also presented him with a key to the City. Mayor Wright joked that he needed to save all of the accomplishments listed because he was going to copy the same; Mr. Berry's resume read exactly like his, except Mayor Wright got the sink-hole. He advised Mr. Berry that he wanted to see the key to the City prominently displayed at Catawba County. He referenced the City moto inscribed on the key which was "vestigia nulla retrorsum", which he joked meant may the City Manager always find gainful employment. He joked it meant "Life. Well Crafted."

Mayor Wright commented it's not fun to send people off, but fortunately he is only moving 12-14 minutes to Newton.

- XIV. Closed Session Per NC General Statutes 143-318.11(a)(1)(3) to consult with the attorneys regarding the following: (Action on these items, if any, will occur in Open Session)

Mayor Wright requested the addition of two items to closed session, potential litigation NCGS §143-318.11(a)(3) and discussion of a personnel matter - NCGS §143-318.11(a)(6).

Mayor Wright moved that Council go into closed session to consult with the attorneys to discuss the items below and the addition of potential litigation and a personnel matter concerning the search for City Manager, seconded by Alderwoman Patton. The motion carried unanimously.

1. Approval of Closed Session Minutes of April 19, 2016, May 17, 2016, June 7, 2016, and June 16, 2016 - NCGS §143-318.11(a)(1)
2. Discussion of Litigation – Willie James Grimes vs. City of Hickory, et. al. File No. 5:14-CV—160 - NCGS §143-318.11(a)(3)

No action was taken upon return to open session.

- XV. There being no further business, the meeting adjourned at 10:45 p.m.

Mayor

City Clerk